



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Tenth day of August Two Thousand and Twenty One

PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL MP(MD) No.5188 of 2021

IN

CRL OP(MD) No.7331 of 2021

MUNEESWARAN

... PETITIONER/ PETITIONER

Vs

THE STATE REP.BY,

THE INSPECTOR OF POLICE

KOVILANGULAM POLICE STATION, RAMNAD DISTRICT.

CRIME NO.62 OF 2021.

... RESPONDENT/ RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Amend the petition and Order in Crl.OP(MD).No.7331/2021 dated 08.06.2021 in respect of the Offences U/s.379,353,269,270,271,279 of I.P.C.r/w Sec.179 of M.V Act and Sec.21(1)Tamil Nadu Mines and Minerals Development and Regulation Act 1957 instead of the Offences U/s.379,269,270,271,279 of I.P.C.r/w Sec.179 of M.V Act and Sec.21(1)Tamil Nadu Mines and Minerals Development and Regulation Act 1957.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.S.J.CHAKKKARAVARTHY, Advocate for the petitioner and of MR.P.KOTTAI CHAMY, Additional Public Prosecutor (Criminal Side) for the respondent, the court made the following order:-

This petition has been filed seeking amendment to include the offence of Section 353 IPC in the petition and the order passed in Crl.O.P.(MD)No.7331 of 2021 dated 08.06.2021.

2. The learned counsel for the petitioner submits that as per the FIR, the offences are under Sections 379, 353, 269, 270, 271, 279 of IPC r/w. Section 179 of MV Act and Section 21 (1) of the Tamil Nadu Mines and Minerals (Development and Regulation) Act, 1957, but, the same has been wrongly mentioned in the petition as Sections 379, 269, 270, 271, 279 of IPC r/w. Section 179 of MV Act and Section 21 (1) of the Tamil Nadu Mines and Minerals (Development and Regulation) Act, 1957, by inadvertently omitting Section 353 IPC. Therefore, he prays for amendment to include Section 353 of IPC in the petition and the order passed in Crl.O.P.(MD)No.7331 of 2021



3. The petitioner has omitted to mention the major offence of Section 353 of IPC in the petition itself. This petitioner was granted anticipatory bail on 08.06.2021. After obtaining anticipatory bail, this application to add the major offence is filed. Therefore, this Court is not inclined to allow this petition. Accordingly, this petition is dismissed. Liberty is given to the petitioner to file a fresh petition.

sd/-
10/08/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE,
KAMUTHI, RAMNAD DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMNAD DISTRICT.
- 3 THE INSPECTOR OF POLICE
KOVILANGULAM POLICE STATION, RAMNAD DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP(MD) No.5188 of 2021
IN
CRL OP(MD) No.7331 of 2021
Date :10/08/2021

OGY
MK/JM/SAR.I/24.08.2021/2P/5C